

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FREDDIE BILLS, JR.,

Petitioner,

v.

Case No. 00-10457

Honorable David M. Lawson

THOMAS BIRKETT,

Respondent.

ORDER DENYING PETITIONER'S MOTION TO DISQUALIFY JUDGE

On June 4, 2012, the petitioner filed a motion to disqualify the undersigned. The petitioner alleges that the undersigned is biased against the petitioner, and that this bias is demonstrated by this Court's denial of the petitioner's various motions and alleged failure to adjudicate his claims. "Under 28 U.S.C. §§ 144 and 455, a judge must recuse himself if a reasonable, objective person, knowing all of the circumstances, would have questioned the judge's impartiality." *Hughes v. United States*, 899 F.2d 1495, 1501 (6th Cir. 1990); *see also United States v. Hartsel*, 199 F.3d 812, 820 (6th Cir. 1999). Prejudice or bias sufficient to justify recusal must be personal or extrajudicial. *In re M. Ibrahim Khan, P.S.C.*, 751 F.2d 162, 164 (6th Cir. 1984). "Personal bias is prejudice that emanates from some source other than participation in the proceedings or prior contact with related cases." *United States v. Nelson*, 922 F.2d 311, 319-20 (6th Cir. 1990) (internal quotation marks omitted). Bias finding its source in the judge's view of the law or the facts of the case itself is not sufficient to warrant disqualification. *United States v. Story*, 716 F.2d 1088, 1090 (6th Cir. 1983). Therefore, disagreement with a judge's decision or ruling is not a basis for disqualification or upsetting judicial rulings. *Liteky v. United States*, 510 U.S. 540, 555-56 (1994). The petitioner does

not point to any fact beyond his disagreement with the undersigned's decisions in this case that might support a finding of bias. The motion will be denied.

Accordingly, it is **ORDERED** that the petitioner's motion to disqualify judge [dkt. #203] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: June 11, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 11, 2012.

s/Deborah R. Tofil
DEBORAH R. TOFIL